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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,385	01/02/2004	Ji-Hyun Park	P56913	9155

7590
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03/20/2007

EXAMINER

NGUYEN, NAM V

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/749,385	Applicant(s) PARK ET AL.	
	Examiner Nam V. Nguyen	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-19 is/are rejected.
- 7) ☒ Claim(s) 14, 15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) ✓ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/24/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The application of Park et al. for a "remote controller and set-top-box therefor" filed January 02, 2004 has been examined.

This application claims foreign priority based on the application 4643/2003 filed January 23, 2003 in Republic of Korea. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.

Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 6-7, 9-12 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al. (US# 6,844,807).

Referring to claim 1, Inoue et al. disclose home electronics system enabling display of state of controlled devices in various manners as recited in claim 1. See Figures 1-2 and respective portions of the apparatus and method.

Inoue et al. disclose a homes server (22) for a home electronics network system (column 55 to 66; see Figure 1), the homes server (22) comprising: a communication interface unit (42) communicating with electronic devices (24A to 24D) (column 4 line 30 to 35; see Figure 1); a wireless interface (38) communicating wirelessly with a cellular phone (46) (column 4 lines 24 to 29; see Figure 1), the cellular phone (46) being separately located from the homes server (22); and a micro computer (32) receiving control signals from the cellular phone (46) through said wireless interface (38), said micro computer (32) controlling the electronic devices (24A to 24D) through said communication interface (42) in dependence upon the control signals (column 4 lines 46 to 60; see Figures 1 and 3).

Referring to claim 2, Inoue et al. disclose the main control unit of claim 1, said communication interface unit (42) performing the communicating with the electronic devices (24A to 24D) through a wire network (column 4 lines 30 to 33; see Figure 1).

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Referring to claim 3, Inoue et al. disclose the main control unit of claim 1, said wireless interface unit (38) communicate with the remote control unit (46) through a public line network (44) (column 4 lines 24 to 29; column 7 lines 23 to 39; see Figures 1, 9 and 13).

Referring to claim 4, Inoue et al. disclose the main control unit of claim 1, the homes server (22) is a separate unit connected to electronic devices (column 4 lines 24 to 43; column 7 lines 23 to 39; see Figures 1, 9 and 13).

Referring to claim 6, Inoue et al. disclose the main control unit of claim 1, with said controller receiving a control result signal from the at least one device through said communication interface, and transmitting the control result signal to the remote control unit through said wireless interface (column 6 lines 40 to column 7 line 7; see Figures 4 to 8).

Referring to claim 7, Inoue et al. disclose a remote control unit (46) for a home network system, to the extent as claimed with respect to claim 1 above, and further include a menu selection to send to inputting a command to control at the electronic devices (24A to 24D) in communication with the homes server (22) (column 6 lines 6 to 39; see Figures 1 and 3-9).

Referring to claims 9-10, Inoue et al. disclose the remote control unit of claim 7, further comprising: a display unit displaying a user selection menu for controlling the at least one device by keypad, said controller providing the user selection menu to said display unit in a form of a graphical user interface (column 6 line 63 to column 7 line 7; see Figures 5-8).

Referring to claim 11, Inoue et al. disclose the remote control unit of claim 7, with said command input unit (82) including a touch sensitive screen to send command via cellular phone 46 (column 8 lines 59 to 64; see Figure 13).

Referring to claim 12, Inoue et al. disclose the remote control unit of claim 7, with said controller (32) receiving a first control result signal of the at least one device from the main control unit in response to the wireless control signal, said controller sensing whether the command was properly executed, the sensing being performed in dependence upon the first control result signal (column 6 lines 40 to 66; see Figures 4B).

Referring to claim 16, Inoue et al. disclose a home network system, the claim 16 differs from claim 1 in that the claims require the limitations of claim 7 already addressed above and Inoue et al. disclose all limitations to the extent as claimed with respect to claims 1 and 7 above and therefore claim 16 is also rejected for the same reasons given with respect to claims 1 and 7.

Referring to claim 17, Inoue et al. disclose the home network system of claim 16, the claim 17 same in that the claims 2 and 6 already addressed above therefore claim 17 is also rejected for the same reasons given with respect to claims 2 and 6.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. (US# 6,844,807) as applied to claims 1 and 16 above, and in view of Shteyn (US# 7,069,345).

Referring to claims 5 and 18, Inoue et al. disclose the main control unit of claims 1 and 16, however, Inoue et al. did not explicitly disclose said communication interface corresponding to at least one selected from among a wireless local area network interface, an Institute of Electrical and Electronics Engineers 1394 interface, a Home Phone Network Alliance interface, and a power line communication interface.

In the same field of endeavor of home network communication system, Shteyn teaches a communication network 490 using a standard IEEE 1394 interface to communicate with an electronic device 130 (column 7 line 1 to 7; see Figure 8) in order to obtain the best transmission strategy as a communication protocol.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a standard IEEE 1394 interface as a communication protocol taught by Shteyn in a home electronics system of Inoue et al. because using a standard IEEE 1394 interface

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in a home electronics system would provide an alternative way of connecting home electronic devices in a home network environment.

Claims 8, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. (US# 6,844,807) as applied to claims 7, 12 and 16 above, and in view of Harris et al. (US# 6,784,805).

Referring to claims 8, 13 and 19, Inoue et al. disclose the remote control unit of claims 7, 12 and 16, however, Inoue et al. did not explicitly disclose said an infrared interface performing infrared communication with the at least one device when the at least one device is within a predetermined distance of the remote control unit, said controller transmitting an infrared control signal corresponding to the command to the at least one device through said infrared interface.

In the same field of endeavor of a remote control system, Harris et al. teach a remote control unit (10) includes a infrared interface (108) to communicate with plurality of external electronic devices (12) (column 1 lines 25 to 38; see Figures 1 to 4) and the microprocessor (116) of a electronic system 100 control external electronic devices (12) by an additional infrared communication terminal (108) (column 6 lines 19 to 26; see Figure 6) in order to allow communications with external electronic devices in a various types of communications..

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using an infrared communication terminal taught by Harris in a home electronics system of Inoue et al. because using an additional infrared communication terminal in

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a home electronics system would provide an alternative way of controlling electronic devices in a home network environment.

Allowable Subject Matter

Claims 14-15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to claims 14 and 20, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein said controller waiting to receive the second control result signal from the at least one device through said infrared interface for a predetermined quantity of time, said controller receiving the second control result signal from the main control unit through said wireless interface when the second control result signal is not received by said controller through said infrared interface before the predetermined quantity of time elapses, said controller sensing whether the command was properly executed, the sensing being performed in dependence upon the second control result signal

Referring to claim 15, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein said controller waiting to receive the second control result signal from the at least one device through said infrared

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interface for a predetermined quantity of time, said controller transmitting a control result request signal to the main control unit through said wireless interface when the second control result signal is not received by said controller through said infrared interface before the predetermined quantity of time elapses, said controller receiving the second control result signal from the main control unit through said wireless interface, said controller sensing whether the command was properly executed, the sensing being performed in dependence upon the second control result signal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Welty (US# 5,109,222) discloses a remote control system for control of electrically operable equipment in people occupiable structures.

Mun (US# 5,579,221) discloses a home automation system having user controlled definition function.

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Perlman (US# 6,169,879) discloses a system and method of interconnecting and using components of home entertainment system.

Jacobson, Jr. (US# 6,424,660) discloses an addressable distributed wireless remote control system.

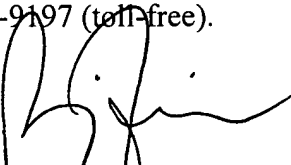
Wachter (US# 6,469,633) discloses a remote control of electronic devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Brian Zimmerman can be reached on 571- 272-3059. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
March 10, 2007



BRIAN ZIMMERMAN
PRIMARY EXAMINER